IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:22-CV-203-BO-RJ

BROCK W. SMITH,)
Plaintiff,)
v.) ORDER GRANTING ATTORNEY'S
FRANK BISIGNANO,) FEES PURSUANT TO) 42 U.S.C § 406(b)
Commissioner of Social Security,)
Defendant.)

On August 9, 2023, a Judgment and an Order were entered and remanding this case to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g). On December 21, 2023, Administrative Law Judge John A. Thawley issued a Fully Favorable Decision granting Plaintiff his Social Security Disability benefits.

Pending before this Court is attorney Jonathan P. Miller's (Plaintiff's Counsel) Amended Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b). Plaintiff's Counsel requests an award of attorney fees in the amount of \$16,057.50. Plaintiff's Counsel has also acknowledged that the \$9,000.00 awarded under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 should be returned to Plaintiff.

Plaintiff's Counsel's Motion is hereby GRANTED. Defendant is Ordered to pay \$16,057.50 to Plaintiff's Counsel, Jonathan P. Miller, pursuant to 42 U.S.C. § 406(b) for work performed in Federal District Court. Plaintiff's Counsel shall return the \$9,000.00 in EAJA fees to Plaintiff.

SO ORDERED this 10 day of Ture, 2025.

Terence W. BOYLE

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UNITED STATES DISTRICT JUDGE

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